

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

ENZO LIFE SCIENCES, INC.,

Plaintiff,

v.

AFFYMETRIX, INC.,

Defendant.

AFFYMETRIX, INC.,

Plaintiff,

v.

ENZO BIOCHEM, INC. and  
ENZO LIFE SCIENCES, INC.,

Defendants.

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DATE FILED: <u>4/25/14</u>

CIVIL ACTION NO. 04-CV-1555 (RJS)

**STIPULATION OF DISMISSAL**

CIVIL ACTION NO. 03-CV-8907 (RJS)

IT IS HEREBY STIPULATED AND AGREED that all claims by Enzo Life Sciences, Inc. (formerly known as Enzo Diagnostics, Inc.) against Affymetrix, Inc. shall be, and hereby are, dismissed with prejudice and without fees and costs;

IT IS FURTHER STIPULATED AND AGREED that all claims by Affymetrix, Inc. against Enzo Biochem, Inc. and Enzo Life Sciences, Inc. (formerly known as Enzo Diagnostics, Inc.) shall be, and hereby are, dismissed with prejudice and without fees and costs;

IT IS FURTHER STIPULATED AND AGREED that this Stipulation is without prejudice to Enzo Biochem, Inc. and Enzo Life Sciences, Inc.'s rights to appeal in any other action;

IT IS FURTHER STIPULATED AND AGREED that this Stipulation may be executed in separate multiple counterparts, each of which shall be deemed to be an original. Signatures

provided through email or facsimile are deemed to be the equivalent of originals for filing purposes.

Dated: April 22, 2014  
New York, New York

GREENBERG TRAURIG, LLP

By: \_\_\_\_\_

Ronald D. Lefton  
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Karen Y. Bitar  
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*Enzo Biochem, Inc.*  
200 Park Avenue  
New York, New York 10166  
(212) 801-9200

ENZO LIFE SCIENCES, INC.

By: \_\_\_\_\_

Name:  
Title:

ENZO BIOCHEM, INC.

By: \_\_\_\_\_

Name:  
Title:

KAYE SCHOLER, LLP

By: Michael J. Malecek

Michael J. Malecek  
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Peter E. Root  
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*Attorneys for Plaintiff/Defendant*

*Affymetrix, Inc.*  
3000 El Camino Real  
2 Palo Alto Square, Suite 400  
Palo Alto, CA 94306  
(650) 319-4500

AFFYMETRIX, INC.

By: \_\_\_\_\_

Name:  
Title:

SO ORDERED  
Dated: *4/25/14*  
RICHARD J. SULLIVAN  
U.S.D.A.

provided through email or facsimile are deemed to be the equivalent of originals for filing purposes.

Dated: April \_\_, 2014  
New York, New York

GREENBERG TRAURIG, LLP

KAYE SCHOLER, LLP

By: \_\_\_\_\_

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ENZO LIFE SCIENCES, INC.

By: \_\_\_\_\_

Name:  
Title:

ENZO BIOCHEM, INC.

By: \_\_\_\_\_

Name:  
Title:

By: \_\_\_\_\_

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AFFYMETRIX, INC.

By: \_\_\_\_\_

  
Name: Siang Chin  
Title: Senior Vice President and  
General Counsel

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Dated: April 22, 2014  
New York, New York

GREENBERG TRAURIG, LLP

By:

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ENZO LIFE SCIENCES, INC.

By:

Name: E. Ruben  
Title: President

ENZO BIOCHEM, INC.

By:

Name: E. Ruben  
Title: Chairman

KAYE SCHOLER, LLP

By:

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AFFYMETRIX, INC.

By:

Name:  
Title: